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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/620,596	07/17/2003	Seung Hee Nam	8733.844.00-US	9292
30827	7590	01/24/2006	EXAMINER	
MCKENNA LONG & ALDRIDGE LLP			DUONG, TAI V	
1900 K STREET, NW			ART UNIT	
WASHINGTON, DC 20006			PAPER NUMBER	
			2871	

DATE MAILED: 01/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/620,596

Applicant(s)

NAM, SEUNG HEE

Examiner

Tai Duong

Art Unit

2871

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 and 14-35 is/are pending in the application.
- 4a) Of the above claim(s) 2,3,5,6,8-10,12 and 17-35 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4,7,11 and 14-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Applicant's election of All (claim 14) of Group II in the reply filed on 11/03/05 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Upon reconsideration, claims 1, 4, 7 and 11 are **no** longer withdrawn from consideration because the recited steps of claims 1, 4, 7 and 11 are implied in the recited structures of original claims 13, 14 and 16.

Claims 2, 3, 5, 6, 8-10, 12 and 17-35 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention and species, there being no allowable generic or linking claim.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4, 7, 11 and 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuoka et al (US 5,953,094) in view of Kim et al (US 6,798,442).

The only difference between the LCD and method of Matsuoka et al (Fig. 4) and those of the instant claims is "an active layer and an ohmic contact layer on the insulating layer above a region where the gate electrode is formed; source and drain electrodes on the ohmic contact layer and a data line formed in a second direction normal to the first direction; a pixel electrode at least partially overlapped with and electrically connected to the drain electrode; a passivation layer over a resultant

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substrate including the pixel electrode". See discussions of Matsuoka et al in the Office Action 04/07/05. However, Kim et al disclose in column 12, lines 39-48, that it was known to form a TFT having an active layer 40 and an ohmic contact layer (55,56) on the insulating layer 30 above a region where the gate electrode 24 is formed; source 65 and drain 66 electrodes on the ohmic contact layer and a data line 62 formed in a second direction normal to the first direction; a pixel electrode 80 at least partially overlapped with and electrically connected to the drain electrode 66; a passivation layer 70 over a resultant substrate including the pixel electrode. Thus, it would have been obvious to a person of ordinary skill in the art to employ in the LCD and method of Matsuoka et al TFTS having the above-mentioned structure for preventing the problem of stich defects, as disclosed by Kim et al (col. 12, lines 53-54).

Applicant's arguments with respect to claim 16 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication should be directed to Tai Duong at telephone number (571) 272-2291.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

TD
TVD

01/06

TOANTON
PRIMARY EXAMINER